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GROUP 3600

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroshi ISONO

Group Art Unit: 3683

Application No.: 09/833,763

Examiner: B. King

Filed: April 13, 2001

Docket No.: 109246

For: BRAKING SYSTEM HAVING VALVE DEVICE FOR DELIVERING PRESSURIZED FLUID TO BRAKE CYLINDER SELECTIVELY FROM AT LEAST TWO PRESSURIZING CHAMBERS OR ONLY ONE OF THEM

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:


In reply to the Restriction Requirement mailed October 2, 2002, Applicant provisionally elects Group I, claims 1-38 drawn to a hydraulic braking system. In reply to the Election of Species Requirement mailed October 2, 2002, Applicant provisionally elects Species A, Figure 1, claims 1, 2, 7-19 and 21-37. It is submitted at least claims 1, 11, 12, 22-24 and 37 are generic to all species. These elections are made with traverse.

It is respectfully submitted that the subject matter of all groups/species is sufficiently related that a thorough search for the subject matter of the elected would encompass a search for the subject matter of the remaining groups/species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which is stated that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). It is

respectfully submitted that this policy should apply in the present application to avoid unnecessary delay and expense to Applicant and duplicative examination by the U.S. Patent and Trademark Office.

In view of the foregoing, it is respectfully submitted that claims 1-41 can be examined without undue burden on the Examiner. Accordingly, it is respectfully requested that the Restriction Requirement and the Election of Species Requirement be withdrawn.

Respectfully submitted,



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Date: October 23, 2002

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